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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,687	06/04/2001	Michelle R. Lehmeier	10003826-1	4781

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EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2172

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/873,687

Applicant(s)

LEHMEIER ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 21- 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 21- 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. Applicant elected Group I, comprising claims 1-12, and 21-22, in the paper No. 5, filed on September 05, 2003, without traverse. Group II (claims 13-20) is withdrawn from further consideration.

2. The pending claims are 1-22.

### ***Claim Objections***

3. Claims 8-9, 11 and 22 are objected to because of the following informalities: Because for claims 8-9 and 11, on page 15, line 1, "the method of claim 6" should it be, - - the method of claim 7 - -?. For claim 22, on page 18, line 1, "the system of claim 19" should it be, - - the system of claim 21 - -?. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richard et al (U.S. Patent No. 5,914, 068, hereinafter, "Richard").

With respect to claims 1, and 7, Richard discloses, the document identifying and retrieval system, document processing engine (710, fig. 18) configured to extract search keys from a data file (206, fig. 2, col. 4, lines 37-45) to identify internal characteristics of the data file, see (fig. 18, col. 13, lines 20-36); speech recognition engine (620, fig. 17, col. 65-67 to col. 12, lines 1-10) configured to convert spoken characteristics associated with certain the files to spoken characteristic data (170, fig. 1, fig. 18 , text-to-speech converter, col. 12, lines 32-67 to col. 13, lines 1-60). Richard discloses data structure with associates the internal characteristics of a file and any spoken characteristics of a file (170, fig. 1, fig. 18, text-to-speech converter) with the file in a memory (col. 3, lines 53). Richard does not explicitly disclose the metadata. The definition of metadata is meta-data, data about data, is definitional data that provides information about or documentation of other data managed within an application or environment. For example, meta-data would document data about data elements or attributes, (name, size, data type, etc) and data about records or data structures (length, fields, columns, etc) and data about data (where it is located, how it is associated, ownership, etc). Richard discloses the linked list generator (145, fig. 12), and linked list represents the article, for instance, head node pointing data field node, see (col. 9, lines 41-61). This teaches that the linked list describes data structure. Therefore, it would have been

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obvious to a person having ordinary skill in the art at the time of the invention was made to include the metadata in the system of Richard to provide the link list of article data structure. Because the metadata includes descriptive information about the context, quality and condition, or characteristics of the data. This helps to provide more descriptive information to a user.

With respect to claim 2, Richard discloses, the search engine configured to search for the internal characteristics and any the spoken characteristics within the memory so as to identify files associated with the internal characteristics and any spoken characteristics, see (col. 9, lines 41-61).

With respect to claims 3-5, and 9-12, Richard discloses, the character recognition engine configured to provide files that contain textual information and image data, see (col. 12, lines 32-67, col. 3, lines 41-67 to col. 4, lines 1-36).

With respect to claim 6, Richard discloses, the document processing engine includes an object recognition system, see (col.13, lines 21-60).

With respect to claim 8, Richard discloses, the searching the metadata to identify file, see (col. 9, lines 41-61).

6. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mishelevich et al (U.S. Patent No. 6,434, 547, hereinafter, " Mishelevich").

With respect to claim 21, Mishelevich discloses, the system for storing documents in an electronic storage media, see (col.7, lines 27-35), means for obtaining from each the document to be stored, see (col.7, lines 27-35, col. 4, lines 45-59), data tags (col. 4, lines 45-59, col. 9, lines 54-67 to col. 10, lines 1-11) pertaining to certain characteristics of the document, the data tags selected form the list of character recognition (col. 12, lines 26-37, col. 13, lines 3-31), object recognition (col. 10, lines 2-21), and voice recognition (col. 6, lines 32-52); and means for associating the data tags with each the document, see (col. 4, lines 45-59). Mishelevich discloses, data tags (col. 13, lines 3-31). Mishelevich does not explicitly disclose, "the semantic processing" for data tags. The semantic processing that is a processing to get meaning in language. Mishelevich discloses, "Pain Severity: Five on a scale of ten" where "Pain Severity" would be the verbal tag that would be ensure that the data "Five on a scale of ten" would be correctly placed in the document, see (col. 9, lines 66-67 to col. 10, lines 1-2). This teaches that data tag "Pain Severity ", comes after language analyze, the meaning of "Pain Severity: Five on a scale of ten", which differs tags used in numbers. Therefore, it would have been obvious to a person having ordinary skill in the art the time of the invention was made to include the semantic processing for data tags to represent association between data tags and document. Because the semantic processing for

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data tag can create data tags with more meaningful representations, which improves data representation and data relationship in many different ways.

With respect to claim 22, Mishelevich discloses, means for retrieving stored ones of the documents based on receipt of a data tag associated with the document to be retrieved, see (col. 13, lines 18-31).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Malley et al (U.S. Patent No. 4,996,707) discloses the system for capability to receive and store graphic images from remote facsimile machines. The system includes a software that can convert graphic images of textual material into an ASCII coded file so that either keywords or the text may be converted to speech giving the addressee-user the ability to review incoming facsimiles from a remote telephone. The system includes a relay capability, the capability to print on command and to originate facsimiles either from text files or scanned papers.


**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW  
October 20, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER